



**City of YUMA**

**CITY OF YUMA  
REGULAR CITY COUNCIL MEETING **SUMMARY**  
COUNCIL CHAMBERS – YUMA CITY HALL  
ONE CITY PLAZA, YUMA, ARIZONA  
WEDNESDAY, JUNE 16, 2010  
5:30 P.M.**

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**CALL TO ORDER 5:30 P.M.**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**FINAL CALL** for submission of Speaker Request Forms

**PRESENTATIONS**

**I. CALL TO THE PUBLIC**

**NO LEGAL ACTION PERMITTED** Members of the public may address the City Council on matters that are not listed on the City Council agenda. The City Council cannot discuss or take legal action on any matter raised unless it is properly noticed for discussion and legal action. At the conclusion of the Call to the Public, individual members of the City Council may respond to criticism made by those who have addressed the City Council, may ask staff to review a matter or may ask that a matter be placed on a future agenda. All City Council meetings are recorded and videotaped.

## II. MOTION CONSENT AGENDA

All items listed on the Motion Consent Agenda will be considered and enacted with one motion. There will be no separate discussion of these items unless a Councilmember so requests. In which event, the item will be removed from the Motion Consent Agenda and the vote or action will be taken separately.

### A. Approval of minutes of the following City Council meeting(s):

**APPROVED** 1. Regular Worksession March 16, 2010

### B. Approval of Staff Recommendations:

#### Page Item

1. Executive Sessions may be held at the next regularly scheduled Special Worksession, Regular Worksession and City Council Meeting for personnel, legal, litigation and real estate matters pursuant to A.R.S. § 38-431.03 Section A (1), (3), (4), and (7). (City Attorney)

#### **APPROVED** 2. Liquor License: 4th Ave. Liquor

Approve a new #09 Liquor Store Liquor License application submitted by Emad Elia Yousif, agent for 4th Ave. Liquor, 1111 South 4th Avenue, Yuma, Arizona. (LL10-10) (City Administration/City Clerk) (Lynda L. Bushong)

#### **APPROVED** 3. Contract Award: Request for Qualifications (RFQ) Stormwater Engineering Consulting Services

Authorize staff to negotiate and execute a one-year contract with the option to renew for four additional one-year periods, one period at a time, depending on the appropriation of funds and satisfactory performance, for Stormwater Engineering Consulting Services with the following companies:

1. Osman Engineering PLLC Yuma, Arizona
2. James Davey and Associates Inc Yuma, Arizona

(City Engineering Department - RFQ #2010000382) (Paul Brooberg)

**APPROVED 4. Bid Award: Solar Photovoltaic System**

Award to the lowest responsive/responsible bidder for a Solar Photovoltaic System installed on the roof of City Hall utilizing funds from the American Recovery and Reinvestment Act of 2009 (ARRA) at an estimated cost of \$479,500.00 to: Standard Renewable Energy, Phoenix, Arizona. (Facilities - 2010000396) (Richard Nichols)

**APPROVED 5. Bid Award: Sodium Hypochlorite Bleach 12.5%**

Authorize Staff to execute a one-year contract on an as-needed basis with the option to renew for four additional one-year periods, one period at a time depending on the appropriation of funds and satisfactory performance, for Sodium Hypochlorite Bleach 12.5% at an estimated annual cost of \$25,000.00 to the lowest responsive/responsible bidder: Hill Brothers Chemical Company Phoenix, Arizona. (Utilities - Bid #2010000407) (Jay Simonton)

**APPROVED 6. Bid Award: Heating, Ventilation & Air Conditioning (HVAC) and Refrigerant Services**

Authorize staff to negotiate and execute a one-year contract with the option to renew for four additional one-year periods, one period at a time, for HVAC & Refrigerant Services utilizing funds from the American Recovery and Reinvestment Act of 2009 (ARRA) at an estimated cost of \$248,000.00 with the following firms:

Polar Cooling, LLC	Primary	Yuma, Arizona
Hyatt Refrigeration Inc., dba Hyatt Air Yuma	Secondary	Yuma, Arizona

(Facilities - #2010000420) (Richard Nichols)

**APPROVED 7. 2010 Community Development Block Grant (CDBG) Subrecipient Agreements**

Authorize the City Administrator to execute subrecipient agreements in the amount of \$403,791.00 in accordance with the 2010 CDBG Action Plan. (City Administration/Economic Development)

**APPROVED 8. Appointment of Acting City Administrator**

Designation of the Acting City Administrator by the City Administrator, pursuant to the Yuma City Charter, Article VIII, Section 3, during the absence or disability of the City Administrator. (City Administration) (Gregory K. Wilkinson)

**APPROVED 9. Donation to City: 1948 Chrysler Fire Chief Sedan**

Accept donation of a 1948 Chrysler Fire Chief Sedan (Fire/Suppression)  
(Jack McArthur)

**APPROVED 10. Authorize Waiver of Potential Conflict with the Attorney General's Office**

Authorize waiver of potential conflict of interest with the Arizona Attorney  
General's Office for review of Executive Session minutes. (City Attorney)  
(Steven W. Moore)

**SUGGESTED MOTION: To approve the MOTION CONSENT AGENDA as  
recommended:**

M/\_\_\_\_\_ S/\_\_\_\_\_ VV/\_\_\_\_\_

**III. RESOLUTION CONSENT AGENDA**

All items listed on the Resolution Consent Agenda will be considered and enacted with one motion. There will be no separate discussion of these items unless a City Councilmember so requests or a Speaker Request Form has been submitted. In which event, the item will be removed from the Resolution Consent Agenda and the vote or action will be taken separately.

**ADOPTED A. Resolution R2010-39 Development Fee Deferral: Champion Christian Church**

Approve a Development Agreement with Champion Christian Church, deferring Citywide Development Fees for Parcel 2, Champion Christian Church Lot Split at 3625 South Avenue 5E. (City Engineering/Administration) (Paul Brooberg)

**SUGGESTED MOTION: To adopt the RESOLUTION CONSENT AGENDA as  
recommended:**

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#### IV. ADOPTION OF ORDINANCES CONSENT AGENDA

All items listed on the Ordinances Consent Agenda will be considered and enacted with one motion. There will be no separate discussion of these items unless a City Councilmember so requests or a Speaker Request Form has been submitted. In which event, the item will be removed from the Ordinance Consent Agenda and the vote or action will be taken separately.

**ADOPTED**    **A. Ordinance O2010-30 Amend Ordinance O2006-60 - Modifying Conditions of Rezoning**

Adopt Ordinance O2010-30 modifying the conditions contained in Ordinance O2006-60 for the rezoning of properties at 433 and 439 S. 1st Avenue to the Transitional/Historic/Bed and Breakfast Overlay (TR/H/BB) District. *The Statutory Compliance Hearing was held on June 2, 2010 and resulted in the introduction of O2010-30.* (Community Development/Community Planning) (Laurie Lineberry)

**SUGGESTED MOTION: To adopt the ORDINANCES CONSENT AGENDA as recommended:**

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#### V. INTRODUCTION OF ORDINANCES

The following ordinance(s) is presented to the City Council for introduction. No vote or action by the City Council is necessary. However, the City Council may, at its option, vote or take action where appropriate. Ordinances given introduction are generally presented to the City Council for adoption at the next Regular City Council meeting.

**INTRODUCED  
AS AMENDED**    **A. Ordinance O2010-32 Zoning Code Amendment: City of Yuma Zoning Code Reformat**

Adopt the reformatted Zoning Code, by reference, which updates the physical layout and order of the City of Yuma Zoning code, Title 15, Chapter 154, by changing the arrangement of sections and subsections and placing them under appropriate renumbered existing or alternate headings. (Z2010-001) (Community Development/Community Planning) (Laurie Lineberry)

**INTRODUCED**    **B. Ordinance O2010-33 Property Acquisition: 28th Street and Kyla Avenue**

Authorize and ratify the acquisition of property located at 2862 S. Kyla Avenue (City Engineering/Administration) (Paul Brooberg)

**INTRODUCED  
AS AMENDED**    **C. Ordinance O2010-34 City of Yuma 2010 Special Election**

Call a special election to be held the same time as the City of Yuma General Election on November 2, 2010 to submit to those persons qualified to vote in the City of Yuma the question of continuing to levy, and modifying the use of, the 0.2 % (two-tenths of one percent) transaction privilege tax dedicated to public safety. (Fire/Administration) (Jack McArthur)

**VI. PUBLIC HEARINGS**

**PUBLIC  
HEARING  
HELD**    **A. Annexation Area No. A2010-02: Greengate**

This is a public hearing to consider the annexation of property located at the southeast corner of Avenue 3½E and 32nd Street. (Community Development/Community Planning) (Laurie Lineberry)

**VII. BUDGET PUBLIC HEARINGS & RELATED ACTIONS**

**PUBLIC  
HEARING  
HELD**    **A. Combined Public Hearings: Truth-In-Taxation and Final Budget for Fiscal Year 2010-2011.**

Hold one combined Public Hearing that includes the Truth-In-Taxation Public Hearing for Fiscal Year 2010-2011, pursuant to ARS 42-17107, and the Final Budget Public Hearing for Fiscal year 2010-2011. (Finance/Administration) (Pat Wicks)

**ADOPTED**    **B. Resolution R2010-38 Final Budget Adoption for Fiscal Year 2010-2011**

Adopt the City of Yuma Budget for Fiscal Year 2010-2011 in the amount of \$229,840,738, which includes a Capital Improvement Program Budget of \$87,632,349, and an Operating Budget of \$142,208,389. (Finance/Administration) (Pat Wicks)

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**INTRODUCED**    **C. Introduction: Ordinance O2010-31 2010-2011 Primary Property Tax Levy and Mall Maintenance District Property Tax Levy**

Adopt the 2010-2011 Primary Property Tax Levy and Mall Maintenance District Property Tax Levy. (Finance/Administration) (Pat Wicks)

**VIII. ANNOUNCEMENTS AND SCHEDULING**

Discussion and possible action on the following items:

1. Announcements:

- City Council report on meetings/events attended – City Council report on issues discussed in meetings/events attended by a City Council representative in their official capacity as the City's representative during the period of June 3, 2010 through June 16, 2010. City Council questions regarding the update must be limited solely for clarification purposes. If further discussion is warranted, the issue will be added to a future agenda for a detailed briefing.
- City Council report of upcoming meetings.
- City Council request for agenda items to be placed on future agendas.

2. Scheduling: Motion to schedule future City Council meetings pursuant to Arizona Revised Statutes Section 38-431.02 and the Yuma City Code, Chapter 30.

**IX. SUMMARY OF CURRENT EVENTS**

**REPORTED** This is the City Administrator's opportunity to give notice to the City Council of current events impacting the City. Comments are intended to be informational only and no discussion, deliberation or decision will occur on this item.

**X. EXECUTIVE SESSION**

**EXECUTIVE  
SESSION  
NOT HELD**

An Executive Session may be held during this meeting to discuss pending Legal/Personnel/Real Estate matters. An Agenda will be posted 24 hours in advance.

**ADJOURNMENT 8:23 P.M.**

In accordance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973 the City of Yuma does not discriminate on the basis of disability in the admission of or access to, or treatment or employment in, its programs, activities, or services. For information regarding rights and provisions of the ADA or Section 504, or to request reasonable accommodations for participation in City programs, activities, or services contact: ADA/Section 504 Coordinator, City of Yuma Human Resources Department, One City Plaza, PO Box 13012, Yuma, Arizona 85366-3012; (928) 373-5125 or TTY (928) 373-5149.